

Attorney Docket No.: P28506.A11

Application. No.: 10/550,013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Rudolf FAHRIG et al.

Group Art Unit: 1623

Appln. No. : 10/550,013

Examiner: M. Henry

Filed : September 23, 2005

For : USE OF 5-SUBSTITUTED NUCLEOSIDES FOR REINFORCING THE  
APOPTOTIC EFFECT OF CYTOSTATIC DRUGS

**AMENDMENT UNDER 37 C.F.R. 1.116**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria VA 22314

Sir:

In response to the final Office Action dated September 3, 2009, reconsideration and withdrawal of the rejections of record are requested. Inasmuch as the three-month shortened statutory period was set in the Office Action to expire on December 3, 2009, a fee should not be required for entering and considering this Amendment. If for any reason it is believed that any additional fee is required for consideration of this Amendment, including any fee to permit entry of an Examiner's amendment, then this should be considered an express request and authorization to charge any necessary fee to maintain pendency of the application, to Deposit Account No. 19-0089.

**Amendments to the Claims** are shown in the Listing of Claims that begins on page 2 of this paper.

**Remarks** begin on page 6 of this paper.